

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



June 29, 1990

ALL-COUNTY LETTER NO.90-57

TO: ALL-COUNTY WELFARE DIRECTORS

SUBJECT: TREATMENT OF AGENT ORANGE DISABILITY PAYMENTS IN THE  
IN-HOME SUPPORTIVE SERVICES PROGRAM

This letter provides the County Welfare Departments (CWD) with instructions to implement a provision of Public Law (P.L.) 101-201, enacted December 6, 1989 for the In-Home Supportive Services (IHSS) Program. The provision pertains to the treatment of Agent Orange Settlement payments. The new law provides that payments made from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the Agent Orange product liability litigation, shall not be considered income or resources in determining eligibility or the amount of benefits under any federal or federally assisted program. The effective date of this provision is retroactive to January 1, 1989.

The CWD shall implement the new law effective upon receipt of this letter. Benefits must be restored to all IHSS applications, in which the CWD becomes aware that benefits were denied, terminated or reduced due to the receipt of Agent Orange Settlement payments. IHSS recipients entitled to restoration shall receive benefits for any month(s) in which application of this provision would have affected the recipient's eligibility or benefits back to January 1, 1989. State regulations will be promulgated to implement this new law as soon as administratively feasible.

If you have any questions regarding P.L. 101-201, please contact Richton Yee of the Adult Services Bureau at (916) 323-5104.

A handwritten signature in cursive script, reading "Loren D. Suter".

LOREN D. SUTER  
Deputy Director  
Adult and Family Services

cc: CWDA